

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

LOVIE MCVEIGH,

Plaintiff,

v.

DOYLE WOOTEN, JEREMY ANDERSON,
KYLE SPIVEY, and DOVIE HART,

Defendants.

CIVIL ACTION NO.: 5:23-cv-107

ORDER

Defendants filed a notice of removal from the Superior Court of Coffee County, Georgia, on December 5, 2023. Doc. 1. The Court issued a Rule 26 Instruction Order on December 6, 2023, and Defendants filed their original motions to dismiss on this same date. Docs. 2, 4, 5.

Federal Rule of Civil Procedure 26(f) requires the parties to meet and confer at the initiation of a lawsuit. Rule 26 requires the parties discuss a number of things, including the prospects for resolving a case, initial discovery disclosures, and a proposed discovery plan. The attorneys of record are “jointly responsible” for scheduling and attending the conference. Fed. R. Civ. P. 26(f)(2). Further, pursuant to Local Rule 26.1(e) of this Court, the parties must hold the Rule 26(f) conference within the later of 21 days of the filing of the notice of removal or the filing of the last defendant’s answer, but in no event later than 45 days after the first appearance by answer or motion under Federal Rule of Civil Procedure 12 of a defendant named in the original complaint. Within 14 days of that conference, the parties are to file a report with the Court. Local R. 26.1(b). The filing of a motion to dismiss does not stay or extend these deadlines.

The parties have yet to file their Rule 26(f) report. The Court **ORDERS** the parties to confer under Rule 26(f) within 7 days of this Order and submit a Rule 26(f) report within 7 days of their Rule 26(f) conference. The parties are to use and fully complete the Rule 26(f) form for use in Judge Wood/Judge Cheesbro cases, which can be found on the Court's website.

SO ORDERED, this 7th day of February, 2024.



BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA